

OCT 18 2004

BEST AVAILABLE COPY

Attorney Docket No. 5051-471

COPYRESPONSE UNDER 37 C.F.R. 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 1638PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Conkling et al.
 Serial No.: 09/941,042
 Filed: August 28, 2001
 For: *NUCLEIC ACIDS AND METHODS FOR PRODUCING TRANSGENIC PLANTS
CONTAINING MOLECULAR DECOYS*

Confirmation No.: 4291
 Group Art Unit: 1638
 Examiner: A. Kubelik

Date: October 13, 2004

Mail Stop AF
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

PETITION AND FEE FOR EXTENSION OF TIME
(37 C.F.R. § 1.136(a))

1. This is a petition for an extension of time for a total period of (3) three months to respond to the Official Action dated April 13, 2004.
2. A response in connection with the matter for which this extension is requested:

 is filed herewith. has been filed.

3. Applicant:

Claims small entity status. See 37 CFR 1.27.
 Does not claim small entity status.

4. Calculation of extension fee (37 C.F.R. § 1.17(a)-(d)):

Total Months Requested	Fee For Other Than Small Entity	Fee for Small Entity
<input type="checkbox"/> one month	\$110.00	\$55.00
<input type="checkbox"/> two months	\$430.00	\$215.00
<input checked="" type="checkbox"/> three months	\$980.00	\$490.00
<input type="checkbox"/> four months	\$1,530.00	\$765.00
<input type="checkbox"/> five months	\$2,080.00	\$1,040.00

Fee Enclosed \$980.00

Attorney Docket No. 5051.471
Serial No.: 09/941,042
Filed: August 28, 2001
Page 2

A check in the amount of \$1320.00 (\$340.00 Notice of Appeal fee and \$980.00 extension fee) is enclosed.

Payment by credit card (Form PTO-2038) is enclosed.

Charge Deposit Account No. 50-0220 for any additional extension and/or fee required or credit for any excess fee paid.

Respectfully submitted,

Mary L. Miller
Registration No. 39,303

Myers Bigel Sibley & Sajovec, P.A.
P. O. Box 37428
Raleigh, North Carolina 27627
Telephone: (919) 854-1400
Facsimile: (919) 854-1401
Customer Number 20792

CERTIFICATE OF EXPRESS MAIL

Express Mail Label Number EV 473658749 US
Date of Deposit: October 13, 2004

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Katie A. Chung

OCT. 18, 2004 2:08PM MBS&S 919 854-1401

NO. 6825 P. 10
510553

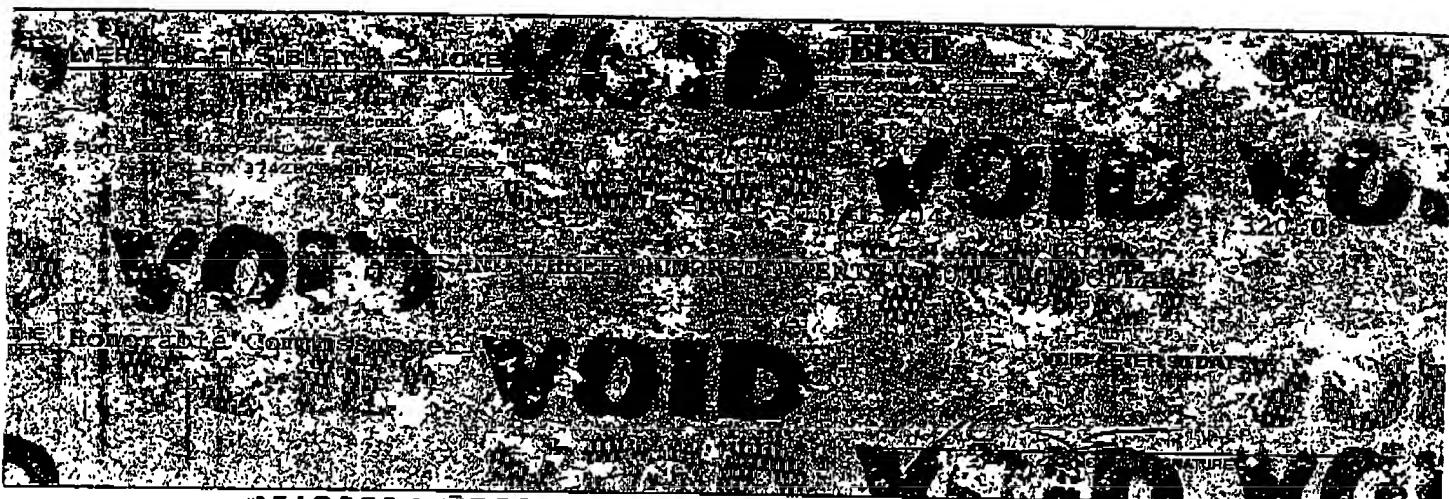
2300.00 Honorable Commissioner
1/13/04 5051.471

5051.471 1320.00 1320.00

COPY

1/13/04 510553

Gross: 1320.00 Ded: 0.00 Net: 1320.00



**This Page is Inserted by IFW Indexing and Scanning
Operations and is not part of the Official Record**

BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images include but are not limited to the items checked:

- BLACK BORDERS**
- IMAGE CUT OFF AT TOP, BOTTOM OR SIDES**
- FADED TEXT OR DRAWING**
- BLURRED OR ILLEGIBLE TEXT OR DRAWING**
- SKEWED/SLANTED IMAGES**
- COLOR OR BLACK AND WHITE PHOTOGRAPHS**
- GRAY SCALE DOCUMENTS**
- LINES OR MARKS ON ORIGINAL DOCUMENT**
- REFERENCE(S) OR EXHIBIT(S) SUBMITTED ARE POOR QUALITY**
- OTHER:** _____

IMAGES ARE BEST AVAILABLE COPY.

As rescanning these documents will not correct the image problems checked, please do not report these problems to the IFW Image Problem Mailbox.